

REMARKS

Claims 1-2 are pending in the application. The Abstract of the Disclosure and Claims 1-2 are herein amended. Claims 3-8 are herein cancelled. No new matter has been presented.

Objection to the Specification

The abstract of the disclosure is objected to.

The Abstract of the Disclosure has been amended to overcome this objection. Thus, this objection should be withdrawn.

Rejections under 35 USC §112, Second Paragraph

Claims 1-4 and 6-8 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner alleged as follows:

-it cannot be ascertained whether or not Applicant intends to limit the "inner/outer layer resin (2)" to (A) a single component (for example, as is shown in Fig. 1, in which "inner/outer layer resin (2)" encompasses "interlayer resin (3)"), or if Applicant intends "inner/outer layer resin (2)" to also include (B) two separate layers ("inner and outer layers") between which the interlayer resin (3) is located. The recitations "inner/outer layer resin (2)" and "the inner and outer layers" are the reason for this uncertainty: the first recitation suggests that the scope of structures is limited to option (A) identified above, and the second recitation suggests that the scope of structures is open to option (B) identified above ("layer" compared with "inner and outer layers"). Clarification and/or correction is required.

(Office Action, page 3, lines 6-14). Accordingly the "inner/outer layer resin (2)" has been amended to --a first resin to form inner layer and outer layer of a molded product--. Also, amended claim 1 recites --a second resin to form an intermediate resin layer **embedded within the first resin**--.

The Examiner further alleged as follows:

The structure that Applicant intends to recite by "eccentrically" cannot be ascertained. There does not appear to be a definition for what Applicant intends to recite by "eccentrically" in the specification, and it is not believed that this is a typical word used to describe how one layer is embedded within a layer (or between two layers). Clarification and/or correction is required.

The structure that Applicant intends to recite by "eccentrically towards the bottom" cannot be ascertained. There does not appear to be a definition for what Applicant intends to recite by "eccentrically towards the bottom" in the specification (or for "towards the bottom" aside from the term "eccentrically"), and it is not believed that this is a typical phrase used to describe how one layer is embedded within a layer (or between two layers). Clarification and/or correction is required.

The structure that Applicant intends to recite by "embedded eccentrically towards the bottom within inner/outer layer resin (2) making up the inner and outer layers" cannot be ascertained. It cannot be ascertained whether or not Applicant intends to require that the "inner/outer layer resin (2) making up the inner and outer layers" must completely surround the layers or not. For example, does Applicant intend to allow for the bottom, or a part of the bottom, of the interlayer resin (3) to be exposed (while the remainder is covered by the "inner/outer layer resin (2) making up the inner and outer layers")? Clarification and/or correction is required.

(Office Action, page 3, line 15 to page 4, line 9).

Claim 1 has been amended to recite --a second resin to form an intermediate resin layer **embedded within the first resin**--, and --wherein the second resin is of a concave shape with respect to the top side and **positioned closer to the bottom than to the top**--, deleting the phrase "eccentrically towards the bottom". Claim 1 further has been amended to recite "wherein the second resin is shaped such that y (length of umbrella part of second resin) $\geq L$ (length of central

part of second resin), and $1 > d_o$ (maximum outer diameter of second resin in direction of circumference)/D (outer diameter of multilayered molten resin mass in direction of circumference) ≥ 0.5 ."

The Examiner also alleged as follows:

In further regard to claims 4, 7 and 8, it cannot be ascertained whether or not Applicant intends to recite two separate articles, one of the two articles recited in these claims, or one article that is both a product and a preform. Are two separate articles recited in claims 4, 7 and 8? (both the product and the preform?) Or is only one article required by claims 4, 7 and 8? (a choice between the product and the preform?) Are the product and the preform intended to be the same thing (if so, the scope of the claim would be clear if "product" were deleted from claims 4, 7 and 8, and claims 4, 7 and 8 were otherwise appropriately amended (that is, does Applicant intend "molded to apply to the preform?)) Clarification and/or correction is required.

Claims 3, 4, 6, 7 and 8 have been cancelled and the rejection has become moot.

Rejections under 35 USC §102(b)

Claims 1, 3, 4, 5 and 8 were rejected under 35 U.S.C. 102(b) as being anticipated by Shimizu et al. (U.S. Patent No. 4,816,308).

Claims 1-8 were rejected under 35 U.S.C. 102(b) as being anticipated by Collette et al. (U.S. Patent No. 5,759,653).

Claims 1, 3, 4 and 8 were rejected under 35 U.S.C. 102(b) as being anticipated by Kuwabara et al. (JP 03-234604).

Claims 1, 3, 4, 5 and 8 were rejected under 35 U.S.C. 102(b) as being anticipated by Kuwabara et al. (JP 03-234604).

Shimizu et al. and Collette et al. disclose preforms formed by directly injecting a resin into a die. The preforms are completely different from the molten resin mass of this invention in technical subject matter. Shimizu et al. and Collette et al. do not disclose any feature of this invention.

More specifically, this invention relates to the layer constitution of the molten resin mass in the state where the resin mass is extruded from an extrusion device (see 10 in Fig. 2), and a multilayered resin mass at the soft molten state before preform is molded. The multilayered resin mass is later provided to a die and molded by compression molding into a multilayered preform etc. Thus, the multilayered molten resin mass of the present invention is used for compression molding.

In contrast, in Shimizu et al. and Collette et al., the resin is directly injected into the die and injection molded. An intermediate multilayered molten resin mass is not formed in Shimizu et al. and Collette et al.

Kuwabara et al. appears to schematically show an intermediate resin layer which is of concave in shape in Figs. 2-A to 2-D. Although the intermediate resin layer incidentally has such a concave shape when a molten synthetic resin is fed into a receiving space 40 of a transferring means 38, Kuwabara et al. does not indicate that the layer distribution of the intermediate resin layer of the molten resin mass is formed as recited in the present claims.

Furthermore, Kuwabara et al. does not teach or suggest that the intermediate resin layer is shaped such that y (length of umbrella part of second resin) $\geq L$ (length of central part of second resin), and $1 > d_o$ (maximum outer diameter of second resin in direction of circumference)/ D (outer diameter of multilayered molten resin mass in direction of circumference) ≥ 0.5 , as recited in amended claim 1.

For at least these reasons, claim 1 patentably distinguishes over Shimizu et al., Collette et al., and Kuwabara et al. Claims 2, depending from claim 1, also patentably distinguish over Shimizu et al., Collette et al., and Kuwabara et al. for at least the same reasons.

Claims 3-8 have been cancelled making the rejection of these claims moot.

Rejections under 35 USC §103(a)

Claims 2, 3 and 6-8 were rejected under 35 U.S.C. 103(a) as being obvious over Shimizu et al. (U.S. Patent No. 4,816,308).

Claims 2, depend from claim 1, which patentably distinguishes over Shimizu et al. Therefore, these claims also patentably distinguish over Shimizu et al.

Claims 3, 6-7 and 8 have been cancelled making the rejection of these claims moot.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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